

REMARKS

This is in response to the office action mailed August 22, 2003. A Petition for a one month extension and fee accompanies this response.

Claims 2 to 17 and 19 to 30 are now in this application. Claims 1 and 18 are canceled without prejudice. New claim 30, which combines the content of original claims 1 and 18, is presented for the Examiner's favorable consideration. Formal amendments have been made to claims 2 to 7 and 19 to 29.

Claims 1 to 29 are provisionally rejected under the judicially created doctrine of double patenting over claims 5-15, 17 and 23-27 of copending application number 09/587,818. First, note that a terminal disclaimer was filed in this application with Applicant's response mailed May 10, 2003. Second, however, the Examiner is requested to note that the claims in this application have been amended and it is submitted that the amended claims obviate the need for a terminal disclaimer. Withdrawal of the earlier filed terminal disclaimer is therefore requested.

In summary, it is submitted that no terminal disclaimer is needed, and, further, the Examiner is requested to approve

Applicants request that the earlier filed terminal disclaimer be withdrawn and canceled.

Claims 1 to 29 are rejected under 25 U.S.C. 112, second paragraph, since certain phrases and words in claim 1 are considered by the Examiner to be indefinite. Claim 1 has been canceled without prejudice, and new independent claim 30 uses language which avoids the "indefiniteness" found by the Examiner. Withdrawal of this rejection is therefore respectfully requested.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Simonson. Claim 1 has been canceled without prejudice and new independent claim 30, incorporating the subject matter of original claims 1 and 18, is presented for the Examiner's favorable reconsideration. It is submitted that the content of new claim 30 clearly defines patentable subject matter over the reference cited and applied by the Examiner, and this submission conforms with the Examiner's findings in the office action.

This response addresses all of the Examiner's findings and it is submitted, places the application in order for allowance. As such, a Notice of Allowance is now respectfully requested.

Please acknowledge safe receipt hereof by stamping and returning the enclosed postcard.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on December 18, 2003.

Colin P. Abrahams

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